

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

MYRTIS PAULO HART,

Plaintiff,

v.

No. 21-cv-1108 JB-KRS

SAHARA HOTEL, *et al*,

Defendants.

ORDER TO SEAL PLEADING AND CURE DEFICIENCY

This matter comes before the Court on Myrtis Paulo Hart's *pro se* Claim for Damage, Injury, or Death (Doc. 1) (Complaint). Plaintiff seeks damages from a hotel that allegedly turned him away based on his race. The pleading includes Plaintiff's date of birth, which should not appear on the public docket. In accordance with Fed. R. Civ. P. 5.2, the Court will direct the Clerk's Office to seal the opening pleading and file a public copy with the date of birth redacted. Plaintiff must refrain from including his date of birth or social security number in future filings. If he continues to file documents with identifying information, the protections of Rule 5.2 may be deemed waived. *See* Fed. R. Civ. P. 5.2(h).

Within thirty (30) days of entry of this Order, Plaintiff must also prepay the \$402 civil fee, or alternatively, file a motion to proceed *in forma pauperis*. *See* 28 U.S.C. § 1915(a)(2). Any *in forma pauperis* motion must attach an inmate account statement reflecting transactions between May 15, 2021 and November 15, 2021. If Plaintiff has not been detained for six months, he must submit a statement reflecting transactions between the date of his arrest/detention and November 15, 2021, when he filed the case. All filings must include the case number (21-cv-1108 JB-KRS). The failure to timely comply with this Order will result in dismissal of this case without further notice.

IT IS ORDERED that the Clerk's Office shall **SEAL** the opening pleading (**Doc. 1**) and file a public copy with Plaintiff's date of birth redacted.

IT IS FURTHER ORDERED that within thirty (30) days of entry of this Order, Plaintiff must prepay the \$402 filing fee, or alternatively, file a motion to proceed *in forma pauperis* along with an inmate account statement, as set forth above; and the Clerk's Office shall mail Plaintiff a blank *in forma pauperis* motion.

A handwritten signature in black ink, appearing to read "Kevin Sweazee", is written over a horizontal line.

UNITED STATES MAGISTRATE JUDGE